

REMARKS

Prior to entry of the foregoing amendments, claims 11-36 were pending in the application. Of these, claims 20-31 were withdrawn from consideration and claims 11-19 and 32-36 were allowed. Although the examiner stated that claim 32 was withdrawn from consideration, he also allowed it. Since claim 32 depends from allowed claim 11, applicants presume that the Examiner erroneously included claim 32 with the claims withdrawn from consideration, and that the claim is allowed.

The Examiner refused to examine claims 21-31, asserting that the claims as originally presented were directed to “provisioning of optical links” and claims 20-31 were directed to discovering an adjacent node. Independent claim 20, which is directed to a method employed by a node on a network, has been amended to make clear that it is a method for provisioning an optical link. Independent claim 26 is directed to software for carrying out the method of claim 20. It is therefore submitted that claims 20-31, as amended, do not define an invention patentably distinct from the invention of claims 11-19 and 32-36.


The amendments to claims 20 and 26 are not being made for purposes of patentability and are not in response to a rejection. Furthermore, the deletion of “containing” from the last paragraph of claim 20 and 26 corrects a clerical error.

CONCLUSION

Applicants respectfully request allowance of the application in view of the foregoing amendments and remarks. Please telephone the undersigned representative should he be of any assistance in connection with the reconsideration.

In the event that any fees are due with respect to the filing of this paper, the Commissioner is hereby authorized to charged Deposit Account No. 13-4900 of Munsch Hardt Kopf & Harr, P.C., referencing Attorney Docket No. 5022.5-1.

Respectfully submitted,


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